

**MINUTES OF THE CITY OF LAS VEGAS REGULAR COUNCIL MEETING HELD ON
JUNE 24, 2015 AT 6:00 P.M. IN THE CITY COUNCIL CHAMBERS**

MAYOR: Alfonso E. Ortiz, Jr.

COUNCILORS: David L. Romero
Vincent Howell
Tonita Gurule-Giroñ
Joey Herrera-Absent

ALSO PRESENT: Elmer J. Martinez-City Manager
Maire Lopez - Recorder
Dave Romero-City Attorney
Juan Montano-Sergeant at Arms

CALL TO ORDER

Mayor Ortiz, Jr. called the meeting to order at 6:20 p.m.

ROLL CALL

Mayor Ortiz, Jr. advised that Councilor Herrera was absent due to illness.

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Mayor Ortiz, Jr. asked for moment of silence to be thankful for our precious lives and for all those who volunteer to help the community and to take the opportunity to help others in any way that we can.

APPROVAL OF AGENDA

City Manager Martinez recommended to remove Business Item #2, agreement with San Miguel EDC and Business Item #4 agreement with MainStreet, due to the need of finalizing the agreements and advised that they would be brought back to the next Council meeting.

Councilor Gurule-Giroñ had a question regarding changes on the funding amount for MainStreet on Business Item #4.

City Manager Martinez advised that the reason for removal of Business Item #4 was to finalize several items on the contract.

Councilor Gurule-Giroñ made a motion to approve the agenda with the recommended changes by City Manager Martinez to remove Business Item #2 Approval Disapproval of Recommendation to enter into agreement with Las Vegas San Miguel Economic Development, Inc., a New Mexico non-profit corporation exempt under Section 501 © 6), for the annual amount of \$50,000 for the period of July 1, 2015 thru June 30, 2016 and Business Item #4 Approval/Disapproval to enter into agreement with MainStreet de Las Vegas New Mexico non-profit corporation, for the period of July 1, 2015 thru June 30, 2016. Councilor Romero and Councilor Howell seconded the motion.

Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

David L. Romero	Yes	Tonita Gurule-Giroñ	Yes
Vincent Howell	Yes	Joey Herrera	Absent

Recorder Maire Lopez re-read the motion and advised the motion carried.

APPROVAL OF MINUTES

Councilor Howell made a motion to approve the minutes for May 13th-Special, May 13th- Work Session and May 20, 2015-Regular. Councilor Romero seconded the motion.

Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

Tonita Gurule-Giroń	Yes	Vincent Howell	Yes
David L. Romero	Yes	Joey Herrera	Absent

Recorder Maire Lopez re-read the motion and advised the motion carried.

MAYOR'S APPOINTMENTS/REPORTS

None at this time.

MAYOR'S RECOGNITIONS/PROCLAMATIONS

Mayor Ortiz, Jr. thanked members of the Red Cross and all the volunteers for their service to the community and congratulated Connie Chavez on her achievements.

American Red Cross Executive Director Kathy Segura and Volunteer Services Specialist of New Mexico Swim Karim presented the Clara Barton Award to volunteer Ms. Connie Chavez for all her dedicated work and service she has given to the community through the American Red Cross.

City Attorney Dave Romero took the opportunity to thank the American Red Cross for their assistance in helping his father at the time of need when he was taken Prisoner of War and added that the American Red Cross saved his father's life.

Ms. Connie Chavez thanked other emergency agencies for their assistance in helping the American Red Cross in times of disaster.

Mayor Ortiz, Jr. recognized the parents and grandparents of Megan Esquibel, Miss Las Vegas 2015 and thanked them for helping Megan to be available to partake in the festivities and spoke of what a good example Ms. Esquibel was to the community.

Recorder Maire Lopez read the recognition on behalf of Mayor Ortiz, Jr. and the Governing Body recognizing Miss Megan Esquibel for the grace and integrity she brings to the title of Miss Las Vegas and encourage her to continue to make positive improvements to the community.

Miss Las Vegas, Megan Esquibel thanked everyone and spoke briefly on the Miss Las Vegas Organization and also thanked Phillip Ortiz for all his help. Ms. Esquibel also spoke of her plans of pursuing a career as a registered nurse and added that she was currently attending Luna Community College.

Mayor Ortiz, Jr. advised that May Kay Fisher Customer Service Lead had recently retired and was not present but recognized her for her dedication and loyal service of 18 years with the City of Las Vegas Utilities Department.

PUBLIC INPUT

Bob Wessely spoke briefly regarding the stalled process of negotiations with acequias and the importance of getting the process moving again. Mr. Wessely added that the acequias had not responded to the detailed settlement offer from the City of Las Vegas and asked Mayor Ortiz, Jr. and the Governing Body to proactively reach out to the acequias in order to clearly outline any remaining issues.

Mayor Ortiz, Jr. thanked Mr. Wessely for always expressing his concerns on water issues and discussed several issues regarding the situation with the acequias and with water rights.

Councilor Gurule-Giroñ directed a question to Mayor Ortiz, Jr. regarding the acequias negotiations and asked if negotiations included the Morada.

Mayor Ortiz, Jr. explained that the Morada would not be affected by the acequia negotiations.

Discussion took place regarding the importance of planning for future water issues in the community.

CITY MANAGER'S REPORT

City Manager Martinez advised that Fire Chief Phillip Mares would be presenting a summary report on fireworks.

Fire Chief Mares reported that the fireworks display would be part of the 4th of July festivities and noted that if bad weather would be an issue, the event would be rescheduled for the next day and informed of several parking locations available to view the display. Fire Chief Mares advised that the Gene Torres Golf Course was only available to those individuals with reservations at the restaurant.

Fire Chief Mares encouraged the community to come out and enjoy the show and added if people chose to buy fireworks to be careful when handling them.

Discussion took place regarding the restrictions on fireworks.

City Manager Martinez advised that the implementation of Utility rate increases would take effect on July 1st that included a three (3) percent increase in waste water and water and a five (5) percent increase on solid waste services. City Manager Martinez advised that the increase was not for profit but the revenue would go towards capital improvement projects and to maintain Utility services.

Councilor Gurule-Giroń had a question regarding the timeline of the gas rate increase leveling off and asked if this would be the last rate increase on water.

City Manager Martinez advised that this would be the last rate increase on water and added that revenues would be reviewed throughout the year to identify where the revenues are.

Mayor Ortiz, Jr. informed the public that a sixty-seven percent increase was passed and added that it meant a less than ½ a cent cost per gallon to residential customers.

City Manager Martinez advised that the Gross Receipt Tax would be increasing from 8.14 to 8.3958 in Las Vegas on July 1st and noted that the City of Las Vegas chose not to utilize the opportunity to increase by up to 3/8ths percent.

Mayor Ortiz, Jr. added that the City of Las Vegas was not in favor of the 3/8ths percent tax increase and advised that the City would be losing \$90,000 in a period of 15 years and added that the City of Las Vegas would have to make budget adjustments in the mean time but would inevitably need to impose the 1/8th tax increase in the future.

OUT OF STATE TRAVEL

Approval/Disapproval for Lindsey Valdez, Community Development Director and Ben Maynes, Building Inspector, to attend FEMA's Emergency Management Institute E278 National Flood Insurance Program/Community Rating System course in Emmetsburg Maryland, August 30 thru September 4, 2015.

City Manager Martinez advised that he was recommending authorization for approval from Mayor and Council for the training for the reasons of the participation in the program would benefit customers paying flood insurance with a better rate and that FEMA would reimburse the City for the cost of training.

Councilor Howell made a motion to approve for Lindsey Valdez, Community Development Director and Ben Maynes, Building Inspector, to attend FEMA's Emergency Management Institute E278 National Flood Insurance Program/Community Rating System course in Emmetsburg Maryland, August 30 thru September 4, 2015. Councilor Romero seconded the motion.

Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

David L. Romero	Yes	Vincent Howell	Yes
Tonita Gurule-Giron	Yes	Joey Herrera	Absent

Recorder Maire Lopez re-read the motion and advised the motion carried.

Mayor Ortiz, Jr. was pleased with the benefit the program would bring to the residents having to pay flood insurance and that it would be no cost to the city and it would be a professional growth experience for Community Development Department Director Lindsey Valdez and Building Inspector Ben Maynes.

Councilor Gurule-Giron questioned why the Out of State Travel was not placed on under the Business Items.

City Manager Martinez explained that the reason the Out of State Travel was not under the Business Items was because all the information needed was not available to go to the Work Session agenda and stated that future Out of State

Travel would go to Work Session in order to have the opportunity for discussion and it would be placed under Consent Agenda.

Community Development Director Valdez informed that residents living in a floodplain area would receive a five percent decrease on the flood insurance and could eventually receive up to a forty five percent decrease based on different activities conducted in the community by the City of Las Vegas under the CRS program. Community Development Director Valdez advised several signs regarding flood zones were already in place which benefitted the citizens paying flood insurance.

PRESENTATIONS

Police Chief Juan Montano presented a Certificate of Exceptional Service to Officers David Lautalo and Alan Pacheco for taking the initiative on providing necessary resource to an infant child.

Mayor Ortiz, Jr. commended the Officers for their part in the care they took when helping this family in need and thanked every officer for what they do for their communities.

Mayor Ortiz, Jr. took the opportunity to thank the Las Vegas Optic for putting out the information on the free lunch programs throughout the City of Las Vegas and several other topics of information that benefit the community.

FINANCE REPORT

Finance Director Ann Marie Gallegos read a letter by Rick Lopez Director of Department of Finance & Administration Local Government Division regarding the approval of certification for the proposed budget for Fiscal Year 2016.

Finance Director Gallegos presented the finance report ending May 31, 2015. Finance Director Gallegos advised the General Fund collected eighty seven percent and expenditures were at eighty percent.

Councilor Gurule-Giroń had a question regarding the decreased revenue total on Gross Receipts Tax and also on the GRTs 1.225, .75 and .25 on the General Fund Revenue.

Finance Director Gallegos clarified that the City suffered a bit of a loss due to adjustments in March 2015 in the medical services area due to an amended report submitted to the State and it decreased revenue and adjustments were made. Finance Director Gallegos explained that all three taxes were impacted by the March 2015 adjustment and that was the reason for the decline in revenue.

Councilor Gurule-Giroń asked Finance Director Gallegos to also explain the Local-Miscellaneous revenue.

Finance Director Gallegos clarified that the Local-Miscellaneous revenue consisted of Administration charges which came from the Utilities Department and Housing Department which are payment in lieu taxes and also miscellaneous revenue received throughout the year.

Councilor Howell asked Finance Director Gallegos to clarify the term “medical” and asked Ms. Gallegos who submitted the amended report to the State.

Finance Director Gallegos explained that the City of Las Vegas receives GRT revenues from medical services through doctors and hospitals and informed that it is not known who made the amendment but only the amount of the adjustment is provided.

Finance Director Gallegos advised that revenue for Recreation Department came in at eighty seven percent and expenditures were at seventy two percent and informed that Enterprise Funds revenue was at ninety five percent and expenditures were at eighty three percent.

Councilor Howell asked if the Recreation Department had received funding for the repair of the roof.

City Manager Martinez advised that at the Special Session the City of Las Vegas was granted \$96,000.00 for the Recreation Center and advised there are plans to

meet with the engineer and architect for design to start working on the construction with hopes to pursue additional funding for the project.

CONSENT AGENDA

Councilor Howell made a motion to approve the consent agenda as is. Councilor Gurule-Giroń seconded the motion.

Recorder Maire Lopez read the consent agenda Business Items into the record to include Business Items one through ten.

1. Approval to proceed with negotiations with WH Pacific, the most qualified firm, to correct deficiencies at the Abe Montoya Recreation Center-RFP #2015-26.
2. Approval to Publish Ordinance 15-06 amending Chapter 242 Flood Hazard Prevention, Article IV Administration, Section 14(F) Duties and Responsibilities of Floodplain Administrator of the Las Vegas Code.
3. Approval to Publish Ordinance 15-07, amending the Code of the City of Las Vegas, Chapter 301 Nuisances. 301-2 Definitions and rules of construction and 301-6 Nuisance declared.
4. Approval to Publish Ordinance 15-09 amending Chapter 389 Taxation, Article I Lodger's Tax, Section 15(A) Use of Monies of the Las Vegas Code.
5. Approval to award bid No. 2015-29 for Rodriguez Park Booster Station Repairs to the low bidder, Done Right Construction.
6. Approval for Out of State Travel for 6 officers to attend an Advanced Tactics course for narcotics related operations.
7. Approval to submit the Justice Assistant Grant application to purchase equipment for the Las Vegas Police Department and San Miguel County Sheriff's Office.
8. Approval for Extension of Contractual Agreement for Inmate Confinement with the Las Vegas Police Department and San Miguel County Detention Center.

9. Approval for Out of State Travel for City Manager.

10. Approval to Publish Ordinance No. 15-08, amending the Code of the City of Las Vegas, Chapter 356, Entitled Smoking, to Specify Definitions.

Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

David L. Romero	Yes	Tonita Gurule-Giroń	Yes
Vincent Howell	Yes	Joey Herrera	Absent

Recorder Maire Lopez re-read the motion and advised the motion carried.

BUSINESS ITEMS

1. Conduct a Public Hearing and Approval/Disapproval of application requesting a New Restaurant (Beer & Wine Only) for Charlie's Bakery & Café Inc. DBA Charlie's Bakery & Café located at 715 Douglas Avenue, Las Vegas New Mexico 87701 Application #938562.

Councilor Gurule-Giroń made a motion to go into Public Hearing. Councilor Romero and Councilor Howell seconded the motion.

Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell	Yes	David L. Romero	Yes
Tonita Gurule-Giroń	Yes	Joey Herrera	Absent

Recorder Maire Lopez re-read the motion and advised the motion carried.

City Attorney Dave Romero asked all who wished to speak on the matter to stand and be sworn in. Maire Lopez and Charlie Sandoval were sworn in.

Recorder Maire Lopez advised that an application for a New Restaurant (Beer & Wine Only) Liquor License was submitted by Charlie's Bakery & Café Inc. for 715 Douglas Avenue.

Councilor Gurule-Giroñ made a motion to accept the record proper and to close Public Hearing. Councilor Romero seconded the motion.

Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell	Yes	Tonita Gurule-Giroñ	Yes
David L. Romero	Yes	Joey Herrera	Absent

Recorder Maire Lopez re-read the motion and advised the motion carried.

Councilor Gurule-Giroñ made a motion to reconvene into regular session. Councilor Romero and Councilor Howell seconded the motion.

Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

Tonita Gurule-Giroñ	Yes	Vincent Howell	Yes
David L. Romero	Yes	Joey Herrera	Absent

Recorder Maire Lopez re-read the motion and advised the motion carried.

Councilor Gurule-Giroñ made a motion to approve of the application requesting a New Restaurant (Beer & Wine Only) for Charlie's Bakery & Café Inc. DBA Charlie's Bakery & Café located at 715 Douglas Avenue, Las Vegas New Mexico 87701 Application #938562. Councilor Howell seconded the motion.

Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

David L. Romero	Yes	Vincent Howell	Yes
Tonita Gurule-Giroñ	Yes	Joey Herrera	Absent

Recorder Maire Lopez re-read the motion and advised the motion carried.

Mayor Ortiz, Jr. congratulated Mr. Sandoval and thanked him and his family for all their hard work in the success of their businesses.

Mr. Sandoval thanked the City of Las Vegas for the opportunity and hoped that his business would be an example of what can be done in the City of Las Vegas.

2. Approval/Disapproval to establish a Solid Waste Department to include the appointment of a Solid Waste Director.

City Manager Martinez advised that as per the City of Las Vegas Municipal Charter, Article V, Section 5.07. Departments, A. Subject to approval of the Governing Body, the City Manger shall establish such departments as re necessary for efficient administration of the City and, B. The City Manger shall appoint department directors, subject to approval by the Governing Body.

City Manager Martinez informed Mayor and Council of his recommendations to establish a Department at Solid Waste verses a Division under the Utilities Department that would report directly to the City Manager.

City Manager Martinez advised that it would be an improvement to the City of Las Vegas and it would create a more efficient operation that would provide better service to our customers.

City Manager Martinez informed that interviews were held for the position of Solid Waste Director and advised that his recommendation was to appoint Solid Waste Manager Matt Griego to Solid Waste Director under the City Charter. City Manager Martinez added that it would come with a salary increase which would be at the entry level salary of \$46,000.00 per year and expressed that Mr. Griego would be the right fit for the position.

Mayor Ortiz, Jr. expressed that he was in favor of City Manager Martinez' recommendation of appointing Mr. Griego to Solid Waste Director as Mr. Griego has displayed professionalism and shown positive results and added that he has been very attentive to matters.

Councilor Gurule-Giroñ made a motion to approve the appointment of Matt Griego to Solid Waste Director at the entry level salary of \$46,000.00 per year. Councilor Romero seconded the motion.

Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell	Yes	David L. Romero	Yes
Tonita Gurule-Giroñ	Yes	Joey Herrera	Absent

Recorder Maire Lopez re-read the motion and advised the motion carried.

Matt Griego thanked everyone for their support in his appointment as Solid Waste Department Director and advised that with the help of the professionalism and hard work of the Solid Waste employees the department is taking a positive direction and their goal is to rebuild and keep improving the Solid Waste Department.

COUNCILORS' REPORTS

Councilor Romero requested the status of a matter reported to him concerning pigeons at a residence.

City Manager Martinez advised that the matter was being addressed by the Code Enforcement Officer.

Councilor Howell expressed his condolences to Finance Director Ann Marie Gallegos for the passing of her mother.

Finance Director Ann Marie Gallegos thanked Councilor Howell for his condolences.

Councilor Gurule-Giroñ commended City Manager Martinez for all his hard work and advised that she was pleased with his work performance and that it has been a pleasure to work with him.

Councilor Gurule-Giroń directed a question to City Attorney Dave Romero regarding the current status of resolved litigations.

City Attorney Romero advised that he didn't have all the detailed information of the status of resolved litigations at the current time but would gather the information and present it at a later time.

Councilor Gurule-Giroń asked City Attorney Romero how often cases were reviewed by the City Attorney's Office.

City Attorney Romero informed Councilor Gurule-Giroń that it was a regular approach to review the status of cases and those cases were reviewed two to three times a week.

Mayor Ortiz, Jr. reported that the City of Las Vegas received \$96,000.00 from the State and advised that the City of Las Vegas lost out on acquiring the old State Police building due to the item not being addressed at the Senate level but advised he had recently used City of Las Vegas per diem for a trip to Santa Fe to meet with General Services Cabinet Secretary Burckle and two attorneys to pursue a \$1.00 a year lease to occupy the old State Police Building and stated that the outlook was positive.

Mayor Ortiz, Jr. advised that Governor Susanna Martinez would be in Las Vegas on July 8th along with Tourism Department Cabinet Secretary Rebecca Latham to attend a tour. Mayor Ortiz, Jr. stated that he would try to find an appropriate time to ask Governor Martinez for additional dollars that would go towards the Recreation Center repairs and would also approach local entrepreneurs for additional donations.

EXECUTIVE SESSION

City Manager Martinez advised there were some matters to discuss in Executive Session regarding the pending or potential litigation of the Effluent Water Project Pump System at Rodriguez Park and personnel matters concerning the Police Department.

Councilor Howell made a motion to go into Executive Session to discuss personnel and legal matters. Councilor Romero seconded the motion.

Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

Tonita Gurule-Giroń	Yes	David L. Romero	Yes
Vincent Howell	Yes	Joey Herrera	Absent

Recorder Maire Lopez re-read the motion and advised the motion carried.

Councilor Howell made a motion to reconvene into regular session and advised that only discussion took place on personnel and legal matters and pending litigation and no decisions were made. Councilor Gurule-Giroń and Councilor Romero seconded the motion.

Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

David L. Romero	Yes	Vincent Howell	Yes
Tonita Gurule-Giroń	Yes	Joey Herrera	Absent

Maire Lopez re-read the motion and advised the motion carried.

Mayor Ortiz, Jr. stated that City Clerk Casandra Fresquez was out due to an illness in the family and thanked Maire Lopez for a professional job in filling in for City Clerk Fresquez.

Mayor Ortiz, Jr. wished to extend a happy and safe 4th of July to the public on behalf of himself and the Governing Body.

ADJOURN

Councilor Gurule-Giroń and Councilor Howell made a motion to adjourn. Councilor Romero seconded the motion.

Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

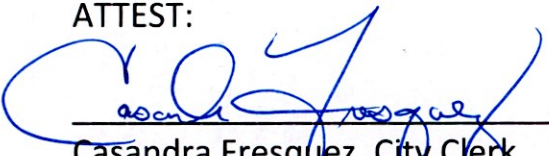
Tonita Gurule-Giron	Yes	Vincent Howell	Yes
David L. Romero	Yes	Joey Herrera	Absent

Recorder Maire Lopez re-read the motion and advised the motion carried.



Mayor Alfonso E. Ortiz, Jr.

ATTEST:



Casandra Fresquez, City Clerk